

IF, AT THE HEARING, THE DISTRICT COURT FINDS THAT THE PROBATIONER OR DEFENDANT HAS VIOLATED A CONDITION OF PROBATION, THE DISTRICT COURT MAY:

(1) REVOKE THE PROBATION GRANTED OR THE SUSPENSION OF SENTENCE; AND

(2) IMPOSE ANY SENTENCE THAT MIGHT HAVE ORIGINALLY BEEN IMPOSED FOR THE CRIME OF WHICH THE PROBATIONER OR DEFENDANT WAS CONVICTED OR PLEADED NOLO CONTENDERE.

REVISOR'S NOTE: This section is new language derived without substantive change from former Art. 27, § 643A(c).

Throughout this section, the references to a "defendant" are substituted for the former references to the "person accused" to conform to the terminology used throughout this part.

In subsection (a) of this section, the reference to "the District Court" is added to clarify a provision in Ch. 2, § 10, Acts of 1973, 1st Sp. Sess., which had deleted the lead-in to former Art. 27, § 146(e), "[e]very District Court judge in any criminal or motor vehicle case within the court's jurisdiction shall have the power" and left former Art. 27, § 643A(c) as an incomplete sentence.

In subsection (d)(2) of this section, the former phrase "to take effect from its date", which formerly modified "sentence", is deleted as surplusage.

Also in subsection (d)(2) of this section, the former option of the court to try the person accused on the charge if there was neither a conviction or plea of guilty or nolo contendere is deleted as obsolete.

Defined terms: "Correctional facility" § 1-101;  
"Nolo contendere" § 1-101

#### 6-224. SENTENCING BY OTHER JUDGE.

##### (A) SCOPE OF SECTION.

THIS SECTION APPLIES TO A DEFENDANT WHO IS CONVICTED OF A CRIME FOR WHICH THE COURT:

- (1) DOES NOT IMPOSE A SENTENCE;
- (2) SUSPENDS THE SENTENCE GENERALLY;
- (3) PLACES THE DEFENDANT ON PROBATION FOR A DEFINITE TIME; OR
- (4) PASSES ANOTHER ORDER AND IMPOSES OTHER CONDITIONS OF PROBATION.

##### (B) SENTENCING BY PRESIDING JUDGE OF CIRCUIT COURT.